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February 14, 2019

***Via ECF***

Hon. Loretta A. Preska  
United States District Judge  
United States Courthouse  
500 Pearl Street, Room 2220  
New York, NY 10007

**Re:   New York City District Council of Carpenters Pension Fund,  
      et al. v. Michael Forde, et al., 11 CV 5474 (LAP) (GWG)**

Dear Judge Preska:

We represent plaintiffs New York City District Council of Carpenters Pension Fund, Welfare Fund, Annuity Fund, and Apprenticeship, Journeyman Retraining, Educational and Industry Fund, and their trustees (collectively, the “Funds”) in the above-referenced case. In accordance with the Court’s instructions, we have communicated with opposing counsel and respectfully submit this letter, on behalf of the Funds, regarding the status of the remaining claims in this case.

On November 14, 2018, the Court rendered judgment in favor of the Funds against defendant Michael Forde. On December 10, 2018, Forde filed a motion to alter or amend the judgment. On January 23, 2019, the Funds timely filed a response to that motion. Meanwhile, Forde filed a notice of appeal. The United States Court of Appeals for the Second Circuit stayed the appeal pending this Court’s disposition of the motion to alter or amend the judgment. We understand that Forde is also considering filing a motion to stay enforcement of the judgment. The Funds will oppose any such motion.

The Funds’ claims against defendant Joseph Oliveri are the only other pending claims in this case. All discovery has been completed. No trial date has been set. We expect to be in a better position to advise the Court in early April whether a trial will be necessary. Accordingly, we respectfully request that the Court permit the Funds and Oliveri to provide a further status update at that time.

Respectfully submitted,

/s/

Marc A. Tenenbaum

cc:   Dino Lombardi, Esq. (via ECF)  
      Pat Longobucco, Esq. (via ECF)